

Implementation of a Position Description Process
for the South Carolina Judicial Department

Embracing Change to Drive Better Business Results – *Year Round*

Certified Public Manager (CPM) Program
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Introduction

The South Carolina Supreme Court originated in 1669 during the earlier portions of the Colonial Period (1669 – 1719) when the government was in the hands of the Lords Proprietors (Stubbs, ix). Over the next couple of centuries, the rule of government for the State of South Carolina would exchange hands diverse times. Ultimately, these exchanges of power would become the catalyst for creating a cumbersome and complicated court system (Stubbs, x).

In Act No. 1629 of 1972 in an effort to streamline the State's court system and create more uniformity, the Legislature created a unified court system, with the Chief Justice as the administrative head. The unified court system is comprised of the Supreme Court, the South Carolina Judicial Department (SCJD), and all other subsidiary courts throughout the state (SC Constitution, Article V, Section 1).

The SCJD is the third co-equal branch of state government along with the legislative and executive branches. Each of these branches work together to make the whole of state government; however, they operate independent of one another. By law, the SCJD is exempt from the application of The State Personnel Administration article (SC Code of Laws 8-11-260(d)), as well as the State's classification and compensation plan. (SC Code of Laws 8-11-270(1)). Therefore the SCJD, under the leadership of Chief Justice Jean H. Toal, is responsible for maintaining all aspects of its business infrastructure to include personnel administration, human resource management, financial and fiscal operations, and information technology.

Unlike the structure of most state agencies, the SCJD's Office of Finance & Personnel (F&P) is comprised of the following areas: Finance, Budget and Reporting, Payroll, Accounts Payable and Receivable, Grants, Procurement and Human Resources. In 2013, F&P underwent an administration change. The new administration began to look at business practices, processes

and work flow more closely to see if they could be improved. Immediately, the Director of F&P and the Director of Human Resources noticed that there were issues of redundancy, minimal utilization of technology in work processes, slower work flow of business operations, vague cataloging of business practices, and improper alignment of staff and duties.

As a result of these findings, the Director of Finance & Personnel met with leadership to share concerns about the inefficiencies and inconsistencies within F&P and voice recommendations for improvement. Upon approval, the improvement process commenced.

The Office of F&P started with a complete overhaul and restructure of staff. As of today, positions and staff are properly adjusted to align with the duties being performed; knowledge transfer of business processes is being gleaned from individual memory and transferred into written documents. Through the increased use of technology in handling business, the work flow continues to improve as there is less redundancy, minimal time being wasted by employees, increased productivity and more efficiency. Likewise, business practices are continually being updated and revised to incorporate best business standards and models to help increase the overall effectiveness of the office.

Problem Statement

While there is welcomed change occurring in F&P, the human resources management area still lags behind in comparison to our business counterparts. Currently, the SCJD does not have or utilize a Position Description (PD) Program. This is a crucial component that needs to be implemented in order for the organization to adequately align its full-time equivalent (FTE) positions with its mission and values. Then, we will be equipped more adequately to attract, recruit, train and retain qualified, highly-skilled individuals to fill critical positions within the court system as it continues to grow.

Also, the implementation of such a program would provide the SCJD with valuable information that can be used in workforce planning initiatives and succession planning. Additionally, it will give the organization greater leverage to compete with our business counterparts in the talent acquisition and human resource management arenas.

Objective

F&P's primary goal is to create a non-cumbersome PD process in incremental phases. The process will be one of simplicity so that all middle- to executive-level management will feel comfortable in writing, revising and updating the documents as needed. A secondary goal is to create new team collaborations and ongoing dialogue between different offices within the SCJD.

Position Description (PD)***Definition***

A Position Description (PD) is a written document that summarizes major duties and responsibilities of the position; job specifications required to perform the job; experience, education and training requirements necessary for the job; and any work and environmental conditions that relate to the job. **(See Appendix A & B)**

The PD is composed of criteria such as the nature of the job, purpose of the job, level of work, knowledge, skills, abilities, behaviors, unusual work schedules and/or conditions found to be hazardous on the job. Other components include, but are not limited to, the job title, position summary, essential staff member status, supervisory responsibilities, fiscal responsibilities, physical demands, and any other components that may be applicable to job.

Purpose

A PD is often used to clarify and align positions with an organization's mission, goals, values and vision so that individuals understand the role their job plays in the overall strategic plan of the

organization. More often than not, a PD is used as the basis for a job evaluation in determining whether an individual is meeting the desired requirements and establishes quarterly and annual employee performance review ratings. PDs also help to determine proper classification and compensation for a given position. This, in turn, aids in establishing a fair, equitable wage and salary structure for an organization to adhere to. Additionally, PDs are used to assign work and document work assignments, establish performance requirements, recruit for vacancies and aid in training employees.

Advantages of having a PD

There are innumerable advantages of having PDs. This tool can be used to provide accountability and help prevent unnecessary misunderstandings about job duties and responsibilities; to help determine reasonable accommodations for disabled applicants and employees as required by the Americans with Disabilities Act (ADA); to support and inform succession planning efforts in order to identify and develop emerging leaders; to aid in strategic workforce initiatives like staff alignment to support changes of the organization; to engage and retain high-performing leaders; to identify and minimize gaps between people and positions; to comply with legal requirements regarding equal opportunity, pay, overtime eligibility, etc.; to use as a basis for disability claims; to aid with reduction-in-force (RIF) measures; to prevent disparate treatment of employees in similar positions and as an employee performance measurement.

Below is an example of how the PD can be used as a tool for improving employee performance year round. Managers should perform these cycles with each individual employee throughout the calendar year. **(See Appendix C)**

Planning – Determine what needs to be accomplished or achieved; what competencies or

skills are required to accomplish the task(s); and what development is needed for the employee.

- Set clear, concise expectations, responsibilities and standards
 1. Job requires an employee to be in the office promptly at 8:30am to answer the telephone.
 2. Voice messages must be returned within 30 minutes.
 3. Employee must greet all visitors with a smile and make direct eye contact.
- Set individual performance goals (**SMART**) that must be maintained and align them with organizational goals

Specific

Measurable

Ambitious

Reachable

Time bound (timeliness)

- Determine what knowledge, skills and abilities (KSAs) to develop or enhance in the coming year

Monitor – Determine if the employee is performing well; is there room for improvement; does the employee need to change anything; and what works or doesn't work.

- Discuss positive and negative observations
- Encourage frequent feedback from the employee
- Seek employee input on ideas to improve work flow, work processes, etc.
- Schedule quarterly meetings to discuss issues (be proactive instead of reactive)

Development – Determine what internal or external training opportunities are readily available for employees and if the organization covers the cost for employee training.

- On-the-job training
- Webinars and/or seminars
- Coaching, counseling and mentoring from day-to-day throughout the year
- New work assignments and/or projects provided
- Professional certifications (local, state, and national)

Rate/Evaluate – Determine how the employee performed; how the employee can improve; and what the employee has learned.

- Provide evaluation and feedback to employee
- Create an Individual Development Plan (IDP) or Performance Development Plan (PDP) if improvement is needed
- Establish a rating scale to measure employee performance

Reward – Determine what types of reward and recognition programs are in place to acknowledge employee achievement and performance.

- Monetary compensation (salary increase, bonus, etc.)
- Recognition award, thank-you card or a plaque
- Paid lunch, a day off work or a write-up in the organization's newsletter
- Gift card, candy or flowers

Disadvantages of not having a PD

Liability

The lack of documenting individual employee PDs consistently throughout the organization can create a legal case of unfair employment practice. This is a hot topic with courts

throughout the United States and, more often than not, they generally side with the employee, especially when employers do not have proper and sufficient documentation in order. Don't risk liability!

Litigation

The cost of litigation for any employment practice violation can be costly and time-consuming; therefore, to avoid the tedious procedure associated with it, an organization needs to maintain current, updated records on all of its employees.

Lack of transparency

Failure to be forthright in producing or providing sufficient documentation gives an impression that the organization has something to hide or has an ulterior motive. Always display an honest front! Keep appropriate documentation secured in a safe place and be prepared to support any legal action taken against the organization.

Challenges of Implementing

With the implementation of any new process, procedure or business practice, an organization will face major hurdles and social constraints which hinders it from reaching its full potential. The most prevalent is human resistance to change. The old adage, "if it ain't broke, don't try to fix it" still resonates in the halls of many organizations. Another hurdle to encounter is timing and cost. Because organizations and businesses around the globe are still recovering from the recession, budgets may be stretched thin and the timing of a new program may interfere with the implementation of previously approved projects. Other noticeable hurdles to overcome may be organizational culture, which can be averse to measurement and accountability; failure to follow through with the new program; or simply the fact that everyone is not onboard.

Regardless of the challenge, organizations everywhere should consider this statement

made by business executives in a recent article in the Harvard Business Review: “Leaders who are skeptical about making substantial and continued investments in their people have already lost the war for talent.” (Douglas A. Ready, Linda A. Hill, and Robert J. Thomas, Jan 2014)

Position Description Process

Phase I: The Office of F&P will take the lead in production of draft PDs for current fulltime equivalent (FTE) positions at SCJD. This information will be recorded electronically for easy access and retrieval. The following steps will occur: (1) Determine what Position Description format will be used at SCJD and save an electronic copy to the G drive. (2) Collect and gather information to include on the PD. Since F&P does not have official job descriptions, past and recent job postings will be used to obtain basic information like job duties and responsibilities, minimum training and experience, and knowledge, skills and abilities for some of the PDs. Subsequently, F&P will consult and collaborate with each division director, along with their managers and supervisors, for additional information to add to the PDs as it relates to the nature of the job, job purpose, managerial or fiscal responsibilities, etc. If necessary, F&P will partner with other state agencies to acquire copies of related PDs. Additional resources such as the online State Job Classification Directory, the Society for Human Resource Management's (SHRM) online resource center, and Business & Legal Resource's (BLR-HR) online resource center will also be utilized. (3) Create drafts from the information gathered in Step 2. (4) Provide each division with applicable copies of each draft relative to its business area. (5) Schedule individual appointments by division to review and revise them, add additional information, ask questions and/or share concerns. (6) If revisions are needed, the drafts will be corrected by F&P and repeat Steps 4 and 5. (7) If no further revisions are needed, the drafts will be reviewed by the Human Resources Director for final approval. Upon approval, the electronic drafts will be stored

in folders, by division, on the G drive. Hard copies will be printed as a backup and secured in a safe place until all FTEs at SCJD have been completed.

This Phase will require a lot of patience and time since the PDs are being produced from scratch. Depending upon the total number of full-time equivalent (FTE) positions within the SCJD, the workload of the HR staff [e.g. new hires, terminations, orientations, internal and external meetings, law clerk season, retirement and insurance enrollment, training seminars and webinars, United Way Campaign, payroll, etc.], and the workload of other divisions within the SCJD, this process may take from six (6) months up to eighteen (18) months to complete.

Phase II: The Office of F&P will begin producing original PDs. (1) Verbiage from the stored electronic drafts will be copied onto original PD forms and saved on the G drive by division. (2) Hard copies will be printed and maintained in F&P. (3) F&P will develop a record maintenance system for storing the PDs alphabetically by class code. Within each class code, the PDs are to be alphabetized by the employee's last name. This system will allow for easier retrieval of documents when needed. (4) Every employee, in a FTE position, shall be given a copy of his/her PD, and each division will receive PDs directly related to that business area. (5) All managers and supervisors are to schedule individual appointments with their staff members to discuss and answer questions regarding the PDs. While this phase may not take as long as Phase I, it will still be dependent upon the workload of the HR staff at the time of production.

Phase III: Implementation of a Position Description Process begins and the guidelines below are to be adhered to by all divisions needing assistance with internal and external job postings, salary adjustments, terminations, and new FTE positions. The Office of F&P will include a disclaimer on the PD Process reserving the right to revise the contents of the document as needed.

Posting an Internal Job Vacancy

Upon a verbal or electronic request from an office to post a job, F&P will pull the PD associated with the job. An appointment will be scheduled to meet with the hiring manager to discuss the title, classification, job duties and responsibilities, salary, etc. If any changes occur, the PD will be updated electronically to reflect the new changes. An original will be printed and securely maintained in F&P, a duplicate copy will be given to the hiring manager for record purposes, and a second duplicate copy will be kept in F&P (to be given to the new hire). At this point, F&P will prepare the job posting from information on the PD and advertise it a minimum of five (5) workdays. The posting will be placed on F&P's bulletin board located outside the office in the Calhoun Building. An electronic version of the job posting will be sent to all SCJD staff also. Once the position has closed, F&P will review and forward applications of qualified individuals, who meet the minimum job requirements, to the hiring manager. The hiring manager will schedule interviews and an F&P representative will participate in each interview. After all of the interviews have concluded, the hiring manager will select a candidate-of-hire from the interviewees. The hiring manager will then contact the Director of Human Resources via phone, e-mail or appointment to discuss a salary. Once a salary has been decided upon, the Director of Human Resources consults with the Director of Finance & Personnel for final approval. Upon approval, the Director of Human Resources notifies the hiring manager and requests a Letter-of-Hire, which includes the salary, start date, mailing address, phone number and e-mail address of the candidate. An Applicant Interview Form (listing the top three (3) candidates); notes taken on all candidates interviewed; the candidate's State application; and all other pertinent information [e.g. reference checks, resumes, school transcripts, driver's license record, writing samples or certification and licensing verifications] should accompany the Letter-of-Hire. When the

documentation is received in F&P, the Director of Human Resources conducts a SLED Check and/or Credit Check on the candidate. If no records are found, the Director of Human Resources instructs the hiring manager to extend a written Letter-of-Employment to the candidate. If records are found, the hiring manager cannot extend an offer letter and must meet with the Human Resources Director to discuss the selection of another candidate to fill the position.

Exemptions to Posting Job Announcements

- (1) If an emergency situation exists requiring the vacancy to be filled immediately, written certification of the emergency must be made to and approved by the agency head or his/her designee waiving the posting requirement.
- (2) When an agency decides to promote an employee one level above his/her current level, the posting requirement may be waived.

Posting an External Job Vacancy

Upon a verbal or electronic request from an office to post a job, F&P will pull the PD associated with the job. An appointment will be scheduled to meet with the hiring manager to discuss the title, classification, job duties and responsibilities, salary, etc. If any changes occur, the PD will be updated electronically to reflect the new changes. An original will be printed and securely maintained in F&P, a duplicate copy will be given to the hiring manager for record purposes, and a second duplicate copy will be kept in F&P (to be given to the new hire). At this point, F&P will prepare the job posting from information on the PD and advertise it a minimum of ten (10) workdays. The job will be posted on the State's recruitment website at www.jobs.sc.gov, in addition to a copy being placed on F&P's bulletin board located outside the office in the Calhoun Building. An electronic version of the job posting will be sent to all SCJD staff as well. Once the position has closed, F&P will review and forward applications of qualified

individuals, who meet the minimum job requirements, to the hiring manager. The hiring manager will schedule interviews and an F&P representative will participate in each interview. After all of the interviews have concluded, the hiring manager will select a candidate-of-hire from the interviewees. The hiring manager will then contact the Director of Human Resources via phone, e-mail or appointment to discuss a salary. Once a salary has been decided upon, the Director of Human Resources consults with the Director of Finance & Personnel for final approval. Upon approval, the Director of Human Resources notifies the hiring manager and requests a Letter-of-Hire, which includes the salary, start date, mailing address, phone number and e-mail address of the candidate. An Applicant Interview Form (listing the top three (3) candidates); notes taken on all candidates interviewed; the candidate's State application; and all other pertinent information [e.g. reference checks, resumes, school transcripts, driver's license record, writing samples or certification and licensing verifications] should accompany the Letter-of-Hire. When the documentation is received in F&P, the Director of Human Resources conducts a SLED Check and/or Credit Check on the candidate. If no records are found, the Director of Human Resources instructs the hiring manager to extend a written Letter-of-Employment to the candidate. If records are found, the hiring manager cannot extend an offer letter and must meet with the Human Resources Director to discuss the selection of another candidate to fill the position.

Exemptions to Posting Job Announcements

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- (2) When an agency decides to promote an employee one level above his/her current level, the posting requirement may be waived.

Salary Adjustments

Upon verbal, electronic, or walk-in requests from an office, F&P will pull the PD associated with the employee. An appointment will be scheduled between the Director of Human Resources and the hiring manager to discuss the PD and any relevant changes it might incur. Dependent upon the type of salary adjustment requested (**See Appendix D**), the Director of Human Resources will consult with the Director of Finance & Personnel for final approval. Upon approval, F&P will update the PD electronically to reflect any new changes. An original will be printed and securely maintained in F&P, a duplicate copy will be given to the hiring manager for record purposes, and a second duplicate copy will be given to and discussed with the employee outlining any changes to the PD as it relates to job duties, responsibilities, etc.

Terminations

Whether a termination is due to voluntary or involuntary circumstances, an office director or manager should notify F&P via walk-in, e-mail or verbal communication. Upon notification, F&P will pull the PD associated with the employee and schedule an appointment to discuss the office's option of posting internally, externally or promoting from within. Depending upon the choice selected, the director or manager will follow the applicable guidelines previously mentioned.

New FTE Positions

F&P will be solely responsible for creating, maintaining and securely storing all PDs. Phase I will be repeated in this section.

Summary

Some of the world's leading businesses and human resource management authorities, like the Society for Human Resource Management (SHRM), the International Public Management

Association for Human Resources (IPMA-HR), Forbes and BERSIN by Deloitte, have given their HR forecasts for 2015. Common trends among each of them focuses on improving performance management, talent acquisition, retention and recruitment (being proactive versus reactive), social media to retain and attract talent, succession planning, and leadership development to name a few.

In order for F&P to keep up with these growing trends and compete in the global market successfully, it must reinvent itself. This can only be accomplished by developing and adhering to best practice standards, improving business processes, implementing essential human resource management programs, and making continual investments in its employees. By embracing change, F&P will be equipped to drive better business results –year round.

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APPENDICES

Appendix A – Sample Position Description

Appendix B – Sample Position Description

Appendix C – Employee Performance Cycle

Appendix D – SCJD Compensation Policy

REFERENCES

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[illegible]

(Appendix B)

STATE OF SOUTH CAROLINA POSITION DESCRIPTION		
1. <u>Job Purpose:</u>		
2. <u>Job Functions:</u>	Essential/ Marginal (E or M)	Percentage of Time
3. <u>Position's Supervisory Responsibilities:</u> <i>If this position includes supervisory responsibilities, please indicate the state title and number of positions of the three highest subordinates.</i>		
<u>STATE TITLE</u>	<u>NUMBER</u>	
(1) _____	_____	Number of employees directly supervised: _____
(2) _____	_____	
(3) _____	_____	
		Total number supervised: _____
4. <u>Comments:</u>		
5. The above description is an accurate and complete description of this job. <div style="float: right; margin-top: 10px;"> _____ Employee's Signature <div style="margin-left: 100px;">_____</div> Date </div>		

(Appendix C)



(Appendix D)

SOUTH CAROLINA JUDICIAL DEPARTMENT COMPENSATION POLICY

THE LANGUAGE USED IN THIS COMPENSATION POLICY DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SOUTH CAROLINA JUDICIAL DEPARTMENT, AND THE DEPARTMENT RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS COMPENSATION POLICY IN WHOLE OR IN PART.

The South Carolina Judicial Department is committed to maintaining a fair and competitive salary structure throughout the organization and to recognize and reward outstanding job performance.

All requests for salary adjustments outlined in this policy will be submitted by the employee's supervisor through the appropriate administrative channels to the Finance and Personnel Director for review and approval. Salary increases are contingent upon funding availability.

HIRING ABOVE THE MINIMUM OF THE PAY BAND

Hiring rates for judges, their secretaries, law clerks, staff attorneys, and court reporters are set by policy and are not included in this type salary request.

A. Appropriate Rationale for Other Positions:

Proper justification for approval of a Hire Above Minimum request includes, but is not limited to, education, training, or experience that exceeds the minimum requirements for the class or the position-specific qualifications.

B. Request Range:

The request range for a Hire Above the Minimum is up to the mid-point of the pay band.

TRANSFER INCREASES

Employees who transfer from a position in another state agency to a position at the South Carolina Judicial Department in the same state pay band may be awarded a salary increase upon the transfer.

A. Appropriate Rationale:

Supervisors must provide justification to support a transfer increase, such as, recruiting difficulties and potential cost savings to the Department. The employee's qualifications, as well as the requested salary's impact on internal equity, will be considered in the evaluation of the Department's decision to offer the transfer increase.

B. Documentation:

The South Carolina Judicial Department's Personnel Office will verify the employee's classification and salary at the other agency.

C. Request Range:

The request range for a Transfer increase is up to 10%.

PERFORMANCE INCREASES

The South Carolina Judicial Department will award increases to employees who make exceptional contributions to the Department.

A. Appropriate Rationale:

The rationale for a Performance Pay increase must be based on documented exceptional contributions to the Department in areas such as:

- (a) Significant increase in services or productivity.
- (b) Significant contributions to workplace safety.
- (c) Significant contributions to cost savings, cost reduction, or cost containment.
- (d) Substantial contributions to the objectives of the South Carolina Judicial Department.

B. Request Range:

The request range for a Performance Pay increase is up to 5%.

ADDITIONAL SKILLS AND/OR KNOWLEDGE INCREASES

The South Carolina Judicial Department may award a salary increase to employees who gain additional knowledge or skills which enhance their job performance and contribute to the overall mission of the Department. Prior approval is required to be considered for this type increase.

A. Appropriate Rationale:

Justification may include the attainment of a higher level of education or further professional development directly related to the current position or considered valuable to the South Carolina Judicial Department. Documentation must specifically demonstrate how the new knowledge or skill enhances the employee's position, assists in the accomplishment of the South Carolina Judicial Department's goals, or contributes to the overall mission of the South Carolina Judicial Department.

B. Documentation:

Requests for Additional Skills/Knowledge increases must include copies of diplomas, degrees, and certificates that serve as documentation of the skill or knowledge that has been acquired.

C. Request Range:

The request range for an Additional Skills/Knowledge increase is up to 5%.

ADDITIONAL DUTIES AND/OR RESPONSIBILITIES INCREASES

The South Carolina Judicial Department may award a salary increase to employees who are assigned additional duties/responsibilities which increase the overall scope of the position or complexity of the job.

A. Appropriate Rationale:

Justification for an Additional Duties/Responsibilities increase should include a delineation of the new duties/responsibilities assigned and an indication of the reasons the new job assignments were given. Increases in volume of work may not qualify an employee for an Additional Duties/Responsibilities salary increase.

B. Documentation:

An updated position description or document outlining the additional duties must accompany the request.

C. Request Range:

The request range for an Additional Duties and/or Responsibilities increase is up to 10%.

RETENTION INCREASES

To retain the services of specific employees, the South Carolina Judicial Department may award a salary increase to employees who have received a job offer from another source.

A. Appropriate Rationale:

Supervisors must provide justification that retaining the services of the employee is vital to the accomplishment of the goals of the office. Supporting documentation would include factors such as past recruiting difficulties for the position, extensive training requirements, expected loss of productivity, or the inability to provide satisfactory service.

B. Documentation:

Requests for a Retention increase must be documented by verification of the job offer.

C. Request Range:

The request range for a Retention increase is up to 10%.

RECLASSIFICATION AND PROMOTION INCREASES

South Carolina Judicial Department employees may be awarded a salary increase upon Promotion or upon the Reclassification of their position.

A. Documentation:

Requests for Reclassification increases must be accompanied with an updated position description.

B. Request Range:

The request range for Reclassification and Promotion increases is up to 10% or to the minimum of the new pay band, whichever is greater.

OUT OF LINE ADJUSTMENTS

The South Carolina Judicial Department Finance and Personnel Director reviews employees' salaries throughout the Department on an ongoing basis in order to maintain an equitable salary structure. If during such an analysis it is determined that an employee's salary does not compare favorably with the averages of other Department employees in that job class, and/or all state government employees in that job class, a further review of the comparative data is conducted. When deemed justified, an Out of Line salary increase may be awarded.

TEMPORARY SALARY ADJUSTMENTS

Employees who are assigned additional duties for a period not to exceed one year may be awarded a Temporary salary increase.

A. Appropriate Rationale:

Proper justification includes the assignment of the duties of a vacant position to an employee until the position is filled, assigning an employee to a temporary project which requires the performance of higher-level duties, or assigning an employee the additional duties of another position during an incumbent's extended absence.

B. Request Range:

The request range for Temporary Salary Adjustments is up to 10%. This type increase is limited in duration to one year. Following which, the Temporary Salary Adjustment will be removed. Consideration may be given to renewing a Temporary Salary Adjustment in extraordinary cases.

SALARY DECREASES

The South Carolina Judicial Department Finance and Personnel Office must be consulted prior to any salary decrease action being initiated.

A.1. Performance Decrease:

Supervisors may request that an employee's salary be decreased based upon poor performance. Requests for performance pay decreases should be considered only in cases when there has been a continuing lack or decline in performance.

Documentation:

A written account of the decline in performance involving a job duty or duties that represent an essential component of the employee's overall duties and responsibilities.

Request Range:

The request range for a Performance Decrease is up to 10% reduction and cannot cause the employee's salary to fall below the minimum of their pay band.

A.2 Removal of Additional Job Duties and/or Responsibilities:

The salary of an employee who was awarded a salary increase upon the assignment of additional job duties/responsibilities may be reduced if the job duties/responsibilities are removed within six (6) months of the date the salary increase was awarded.

Should all of the additional duties/responsibilities be taken away, the employee's salary must be reduced by the entire amount of the Additional Duties/Responsibilities increase which was awarded. However, if a portion of the additional duties/responsibilities remain assigned to the employee, the supervisor may, request that the employee be allowed to keep a portion of the increase which was initially awarded.

Documentation:

A request for removal of an Additional Duties/Responsibilities increase must be clearly documented, indicating the specific duties that are being removed. In addition, an updated position description must be submitted to the South Carolina Judicial Department Finance and Personnel Office.

A.3 Voluntary Salary Decreases:

Employees who voluntarily accept a lower level position may have their salary reduced based on the salary negotiated with the hiring officer. In cases of judges, their secretaries, law clerks, staff attorneys, and court reporters, the amount of the reduction will factor in the set baseline salaries for those positions. The salary reduction will be effective the date of the move to the new position.

Documentation:

Upon accepting the new position, the employee must sign a "Voluntary Salary Decrease" statement indicating his/her agreement to receiving the lower salary. The signed statement must be forwarded to the South Carolina Judicial Department Finance and Personnel Office.

A.4 Involuntary Salary Decreases:

An employee who is involuntarily assigned lower level responsibilities or moved to a position in his/her current pay band with lower level responsibilities, or demoted to a position in a lower pay band for non-

disciplinary reasons, shall not have their salary reduced for a period of one (1) year from the date of the action.

A.5 Disciplinary Reasons:

An employee who, as the result of a disciplinary action, has his/her position reclassified to a class with a lower pay band or is demoted to a position in a lower pay band, may, at the discretion of the Director of Finance and Personnel, be paid at any rate within the lower pay band.

Bonuses

The South Carolina Judicial Department may award bonuses to recognize employee accomplishments and contributions. Bonuses do not become a part of an employee's base pay and may not exceed \$2,000.00 per fiscal year.

A. Eligibility:

All permanent and probationary employees are eligible to receive a bonus.

B. Approval Criteria:

The rationale for a bonus must be based on at least one of the following:

- (a) Contributions to increased organizational productivity,
- (b) Development and/or implementation of improved work processes,
- (c) Exceptional customer service.
- (d) Realized cost savings, or
- (e) Other specific contributions to the success of the organization.

C. Approval Authority:

The Director of Finance and Personnel is the approving authority for employee bonuses. In some cases, the Director of Finance and Personnel must consult with the Chief Justice in determining the amounts and/or number of employees to receive bonuses.

Chief Justice Jean H. Toal

Date